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7 Attorneys for Defendant  
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9 PACIFIC ASIAN ENTERPRISES, INC.

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

12 MARKEL AMERICAN INSURANCE ) Case No. 07-CV-5749 SC  
13 COMPANY, )  
14 Plaintiffs, ) **STIPULATION AND [PROPOSED]**  
15 v. ) **ORDER TO CONTINUE HEARINGS RE**  
16 PACIFIC ASIAN ENTERPRISES, INC., a ) **MOTIONS TO DISMISS AND TO**  
17 California corporation; LEVITON ) **CONTINUE CASE MANAGEMENT**  
18 MANUFATURING CO., INC., a Delaware ) **CONFERENCE TO MARCH 21<sup>st</sup> AT 10:00**  
19 corporation; HUBBELL INCORPORATED,) **AM**  
20 a Connecticut corporation; and DOES 1 - )  
21 100, inclusive ) Date: March 7, 2008  
22 Defendants. ) Time: 10:00 a.m.  
23 ) Place: Courtroom 1  
24 ) Judge: Hon. Samuel Conti  
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26 )  
27 )  
28 )

22 The parties hereby stipulate and join in requesting that the Court postpone the hearing  
23 date for defendant PACIFIC ASIAN ENTERPRISES, INC's Motion to Dismiss and for  
24 defendant HUBBELL INCORPORATED's Motion to Dismiss or in the Alternative for a More  
25 Definite Statement, both now set for March 7, 2008, at 10:00 a.m. A case management  
26 conference is also set concurrently with the motion hearings.

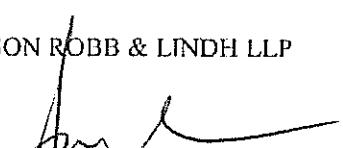
27 The current date was set *sua sponte* by the Court following plaintiff's election to proceed

1 before a district court judge and the subsequent reassignment of this matter to Judge Conti. The  
2 dates set by the Court for the motions and case management conference falls on a date when  
3 counsel for defendant PACIFIC ASIAN ENTERPRISES, INC. will be out of state. Counsel for  
4 all parties have conferred and hereby request the motion hearings and case management  
5 conference be rescheduled to March 21, 2008, at 10:00 a.m in Courtroom 1. As briefing is  
6 complete for both motions, no change to the briefing schedule is necessary.  
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8 **IT IS SO STIPULATED.**

9 Dated: February 22, 2008

GIBSON ROBB & LINDH LLP

11 By: 

12 Joshua A. Southwick, Esq.  
13 Attorneys for Defendant  
14 PACIFIC ASIAN ENTERPRISES, INC.

15 Dated: February 22, 2008

TARKINGTON, O'NEILL, BARRACK &  
16 CHONG

17 By: 

18 Norman Chong, Esq.  
19 Attorneys for Plaintiff  
20 MARKEL AMERICAN INSURANCE  
21 COMPANY

22 Dated: February \_\_, 2008

LATHAM & WATKINS

23 By:   
24 Ernest J. Hahn, Esq.  
25 Attorneys for Defendant  
26 HUBBELL INCORPORATED

27 **IT IS SO ORDERED.**

28 Dated: \_\_\_\_\_

SAMUEL CONTI  
U.S. District Court Judge